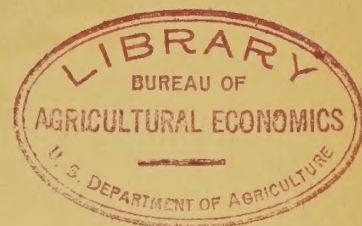


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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

Procedure for the Determination of
Burley Tobacco Acreage Allotments for 1941

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GENERAL

Section 1. Definitions. As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject-matter otherwise requires:

- (a) BURLEY ALLOTMENT PROCEDURE FOR 1941 means this Form 41-Tob-38.
- (b) LOCAL COMMITTEE means the county and community committee utilized under the Act. "County Committee" or "Community Committee" shall have corresponding meanings in the connection in which they are used.
- (c) NEW FARM means a farm on which tobacco was not produced in any of the five years 1936 to 1940 but on which tobacco will be produced in 1941.
- (d) OLD FARM means a farm on which tobacco was produced in one or more of the five years 1936 to 1940 and on which tobacco will be produced in 1941.
- (e) OPERATOR means the person who, as owner, landlord, or tenant, is in charge of the supervision and the conduct of the farming operations on the entire farm.
- (f) STATE COMMITTEE means the group of persons so designated within any State to assist in the administration in the State of the Act.
- (g) TOBACCO means tobacco classified in Service and Regulatory Announcement Numbered 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as type 31 and known as Burley tobacco.

Sec. 2. Extent of calculations and rule of fractions. (a) All percentages shall be calculated to the nearest whole percent. Fractions of more than fifty-hundredths of one percent shall be rounded upward, and fractions of fifty-hundredths of one percent or less shall be dropped except as may be provided by the Regional Director. For example, 87.51% would become 88% and 87.50% would become 87%. (b) All acreage shall be calculated to the nearest one-tenth of an acre. Fractions of more than fifty-thousandths of an acre shall be rounded upward, and fifty-thousandths of an acre or less shall be dropped. For example, 1.051 would become 1.1 and 1.050 would become 1.0.

Sec. 3. Instructions and forms. The Administrator of the Agricultural Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and such forms as may be necessary or expedient for carrying out this procedure.

Sec. 4. Applicability of procedure. This Burley Allotment Procedure for 1941 shall relate to, and be effective for, the establishment of farm acreage allotments for Burley tobacco for the year 1941.

ESTABLISHMENT OF ALLOTMENTS AND YIELDS FOR OLD FARMS

Sec. 5. Acreage allotments for old tobacco farms. The farm acreage allotment for an old farm shall be the 1940 acreage allotment for the farm provided that (1) the 1941 acreage allotment shall be the 1939 allotment if the 1939 allotment was five-tenths acre or less and the allotment was reduced in 1940; or (2) the 1941 acreage allotment shall be five-tenths acre if the 1939 allotment was in excess of five-tenths acre and the allotment was reduced in 1940 to less than five-tenths acre.

The allotment thus determined will be subject to adjustment in accordance with the procedure listed in Sections 6 and 7 below.

Sec. 6. Reduction of acreage allotment for violations of 1940 marketing quota regulations. If tobacco was sold or was permitted to be sold on a marketing card for any farm which was produced on a different farm the acreage allotment for each farm shall be reduced by the amount of tobacco so marketed; provided that such reduction shall not be made if the Secretary, through the local committee, determines that no person connected with such farm caused, aided, or acquiesced in such marketing. If proof of the disposition of any amount of tobacco produced on a farm is not furnished, as required by the Secretary, the acreage allotment shall be reduced by such amount of tobacco.

The amount of tobacco involved will be converted to an acreage basis by dividing such amount of tobacco by the 1940 actual yield for the farm.

Sec. 7. Allotments by local committees. An amount not in excess of one percent of the 1940 acreage allotment for each State will be apportioned to the counties in the State on the basis of the percentage the county acreage allotment is of the State acreage allotment, unless otherwise recommended by the State committee and approved by the Regional Director. The acreage apportioned to the county will be available for allotment by the local committee. A farm shall be eligible for allotment as provided hereunder (1) if the committee finds that the 1940 allotment for the farm is relatively smaller in relation to the land, labor and equipment available for the production of tobacco on the farm than the average of the allotments in relation to the land, labor, and equipment available for the production of tobacco on other farms in the county, or (2) if tobacco was harvested on the farm in 1940 for which no acreage allotment was established. In making the adjustment in the farm acreage allotment the local committee shall consider the past acreage of tobacco (harvested and diverted), the land, labor, and equipment available for the production of tobacco, and crop rotation practices. In no event shall the adjustment of the acreage allotment to any farm be more than ten percent of the 1940 allotment for the farm, or, if greater, five-tenths of

an acre; provided that in the case of any farm on which tobacco was harvested in 1940 for which no acreage allotment was established the committee may establish an allotment not exceeding five-tenths of an acre.

Any adjustment as provided above shall be subject to the approval of the State committee.

Sec. 8. Reconstituted farms. (1) If land operated as a single farm in 1940 has been subdivided for 1941 into two or more tracts, the 1940 tobacco acreage allotment for the farm shall be apportioned among the tracts in the same proportion as the acreage of cropland suitable for the production of tobacco on each such tract in such year bore to the total number of acres of cropland suitable for the production of tobacco on the entire farm in such year, unless otherwise recommended by the county committee and approved by the State committee.

(2) If two or more farms operated separately in 1940 are combined into a single farm for 1941, the 1941 allotment shall be the sum of the 1940 allotments for each of the farms composing the combination.

Sec. 9. Determination of normal yields. The normal yield for any farm shall be that yield which the local committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the years 1936-1940; (b) the soil and other physical factors affecting the production of tobacco on the farm and (c) the yields obtained on other farms in the locality which are similar with respect to such factors. The weighted average of the normal yields for all farms in each county shall not exceed the yield established for the county in 1940, unless an adjustment for abnormal conditions is made by the Secretary upon recommendations of the State committee.

ACREAGE ALLOTMENTS AND YIELDS FOR NEW FARMS

Sec. 10. Determination of acreage allotments for new farms. The acreage allotment for a new farm shall be that acreage which the local committee determines is fair and reasonable for the farm taking into consideration each of the following factors: The past tobacco experience of the farm operator; the acreage of cropland in the farm suitable for tobacco production; the acreage capacity of barns which are located on the farm and which are in usable condition and available for the curing of tobacco; the customary crop rotation practices; and the adaptability of the soil to the growing of tobacco; provided, that the acreage allotment so determined shall be subject to approval by the State committee and shall not exceed the smallest of (1) one-fifth of the past acreage of tobacco grown by the farm operator 1936-1940; (2) 75 percent of the average acreage allotment for old farms in the county; or (3) one acre.

Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless the

following conditions have been met;

- (a) The farm operator shall have had two years or more experience in growing tobacco as a share-cropper, tenant, or as a farm operator during the past five years;
- (b) The farm operator shall be living on the farm and largely dependent on this farm for his livelihood;
- (c) The farm covered by the application shall be the only farm owned or operated by the farm operator on which any tobacco is produced; and
- (d) No kind of tobacco other than Burley will be grown on the farm in 1941.

The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. The acreage available for establishing allotments for farms on which no tobacco was grown during the past five years shall be one-half of one percent of the national allotment.

Sec. 11. Time for filing application. In order to obtain an allotment for a new tobacco farm in 1941, the operator of the farm shall file an application therefor on 41-Tob-37, prior to February 1, 1941.

Sec. 12. Determination of normal yields. The normal yield for a new farm shall be that yield per acre which the local committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

(SEAL)

Done at Washington, D. C.,
this 18th day of December, 1940.
Witness my hand and the seal of the
Department of Agriculture.

/s/ Claude R. Wickard
Secretary of Agriculture

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Issued March 25, 1941

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATIONSupplement 1 to Procedure for the Determination of
Burley Tobacco Acreage Allotments for 1941

The Procedure for the Determination of Burley Tobacco Acreage Allotments for 1941 (41-Tob-38) is hereby amended by striking out the period at the end of Section 5 and inserting in lieu thereof a semi-colon and the following:

"provided, however, that in case farms are retired from agricultural production either (1) because of their purchase or lease by a federal agency for any purpose or (2) because of acquisition for use in connection with the National Defense Program, any tobacco acreage allotted to such farms in 1941 shall be placed in a State pool. Such acreage shall be available for allotment by local committees. A farm shall be eligible for a 1941 allotment from the State pool provided that the 1941 operator of such farm was engaged in the production of tobacco in 1940 on a retired farm for which a 1940 tobacco acreage allotment was established. The acreage allotment for such farm shall be that acreage which the county committee determines to be fair and reasonable for the farm taking into consideration the tobacco producing experience of the farm operator; land, labor and equipment available for the production of tobacco; crop rotation practices; the soil and other physical factors affecting the production of tobacco; and allotments determined for other old tobacco farms in the new community which are similar with respect to such factors. The acreage allotment so determined shall be subject to approval by the State committee and shall not exceed the acreage allotment for the retired farm unless a larger allotment has been previously established for the newly acquired farm in which case the allotment for such farm shall be that acreage previously determined."

(SEAL)

Done at Washington, D. C.
this 25th day of March 1941.
Witness my hand and the seal of the
Department of Agriculture.

/s/ Claude R. Wickard
Secretary of Agriculture

